



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/448,180	11/24/1999	GUY LEVIT	P-2853-US	4750

7590

02/14/2003

EITAN, PEARL, LATZER & COHEN, ZEDEK, LLP.
10 ROCKEFELLER PLAZA
SUITE 1001
NEW YORK, NY 10020

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT

PAPER NUMBER

2681

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/448,180

Applicant(s)
Levit et al.

Examiner
Joy Contee

Art Unit
2681



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 7, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

Art Unit: 2681

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15,18,21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ala-Laurila, U.S. Patent No. 6,246,871, newly discovered.

Regarding claim 15, Ala-Laurila discloses a method of providing access to a specific message stored on a message server, said method comprising:

generating a unique message pointer (i.e., server telephone number and temporary access code) associated with said specific message (i.e., temporary message associated with temporary access code) stored on said message server and sending said message pointer to a subscriber (i.e., designated recipient), wherein said message pointer enables direct access to said stored message through a network (col. 3, line 61 to col. 4, line 3 and lines 33-36).

Art Unit: 2681

Regarding claim 18, Ala-Laurila discloses a method of retrieving a specific stored message comprising:

receiving a pointer (i.e., server telephone number and temporary access code) to said specific stored message (i.e., temporary message) and using said pointer to gain direct access to said stored message server through a network (col. 3, line 61 to col. 4, line 3 and lines 33-36).

Regarding claim 21, Ala-Laurila discloses a message notification system comprising:

a pointer (i.e., server telephone and access code) generating unit for generating a pointer to one or more messages stored on a message storage device, wherein the message pointer includes direct access parameters to said stored message (col. 3, line 61 to col. 4, line 3 and lines 33-36); and

a transmitting unit to transmit the pointer to a subscriber (col. 4, lines 61-64).

Regarding claim 22, Ala-Laurila discloses the system according to claim 21, wherein the pointer generating unit generates a telephone number through which a subscriber may gain direct access to the store message (col. 4, lines 61-64).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made

Art Unit: 2681

to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16,17,19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ala-Laurila in view of Yablon, U.S. Patent No. 5,764,731, previously used.

Regarding claim 16, Ala-Laurila discloses the method according to claim 15. Ala-Laurila fails to explicitly disclose sending a message identifier to the subscriber.

In a similar field of endeavor, Yablon discloses sending a message identifier to the subscriber (col. 4, lines 53-58).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Ala-Laurila to include a message identifier for the purpose of providing enhanced user information to identify the caller as suggested in Yablon (col. 4, lines 53-58).

Regarding claims 17 and 20, Ala-Laurila discloses the method according to claims 16 and 18, respectively, wherein said message pointer is a telephone number (i.e., server telephone number) associated with said specific message on said message server (col. 4, lines 61-64). Ala-Laurila fails to disclose wherein said message identifier is information relating to a source of said stored message.

In a similar field of endeavor, Yablon discloses sending a message identifier to the subscriber (col. 4, lines 53-58).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Ala-Laurila to include a message identifier for the purpose of providing enhanced user information to identify the caller as suggested in Yablon (col. 4, lines 53-58).

Art Unit: 2681

Regarding claim 19, Ala-Laurila discloses the method according to claim 18. Ala-Laurila fails to disclose receiving a message identifier.

In a similar field of endeavor, Yablon discloses sending a message identifier to the subscriber (col. 4, lines 53-58).

At the time of the invention it would have been obvious to one of ordinary skill in the art to have modified Ala-Laurila to include a message identifier for the purpose of providing enhanced user information to identify the caller as suggested in Yablon (col. 4, lines 53-58).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. .

Moon, U.S. Patent No. 6,181,923, discloses a method and apparatus for event notification for wireless devices.

Ozaki et al., U.S. Patent No. 5,933,478, discloses a data transfer system and handheld terminal device used therefore.

Ball et al, U.S. Patent No. 6,240,391, discloses a method and apparatus for assembling and presenting structured voicemail messages.

Art Unit: 2681

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is (703) 308-0149, M-F, 5:30 to 2:00 p.m.

If attempts to reach the examiner are not successful, the examiner's supervisor, Dwayne Bost can be reached on (703)305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314, (for formal communications intended for entry or for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to

Crystal Park II

Sixth Floor (Receptionist)

2121 Crystal Drive

Arlington, VA


Joy K. Contee

February 6, 2003


NAY MAUNG
PRIMARY EXAMINER